



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 9

**75 Hawthorne Street
San Francisco, CA 94105-3901**

June 18, 2007

In reply, refer to: WST-8
Certified mail 7000 0520 0021 6109-8979

Mr. Kyle Prior, Chairman
Shoshone-Paiute Tribes of Duck Valley Reservation
P.O. Box 219
Owyhee, NV 89832

Re: No Further Action for the Underground Storage Tank (UST) Site at the Former Manning's
Texaco (DUCV-004), Owyhee, Nevada

Dear Chairman Prior:

The U.S. Environmental Protection Agency (EPA) Region 9, Underground Storage Tanks Program Office (USTPO) has reviewed the case file for the former Manning's Texaco (DUCV-004). This is part of the national effort to review all outstanding underground storage tank (UST) case files and close out open UST sites, where warranted.

My office has reviewed this case file and determined that there were four underground storage tanks (USTs) on the site – two 2,000-gallon gasoline USTs, one 1,000-gallon gasoline UST and one 10,000 gallon diesel UST. Mr. Larry Manning, a former operator of Manning's Texaco, submitted a self-certification letter of compliance to EPA on December 23, 1992 which stated that the three gasoline USTs were last used in 1983 and were removed from the site in November of 1999. It was also stated in the letter that the 10,000-gallon diesel UST was never used and was closed in-place in November 1999.

EPA has not been able to locate a copy of the UST closure report to document the condition of the tanks or the open pit at the time of removal/closure. There had been several failed attempts by EPA to get a copy of the UST closure report from the Tribe. Our record of communication between Larry Manning and Arthur Boone, a former EPA circuit rider, in November 1999 indicated that Marcie Hunter-Philips of the Tribal EPA oversaw the removal. The records indicated that there was minor soil staining in the area of UST excavation, and that the stained soil was removed before backfilling the excavation with clean fill material.

Ms. Hunter-Philips, in a telephone conversation with Tess Salire of my staff on March 19, 2007, stated that this site is clean and should be closed. She also stated that her computer hard drive had recently crashed destroying all of her files pertaining to this case and other cases. Ms. Hunter-

Philips reiterated that site should be closed without further investigation because of her personal observations at the time of UST removal that indicated no noticeable evidence of contamination beyond the minor soil staining. She stated that the minor stained soil was removed during the site assessment and removal operation.

After reviewing all the available site information including tank use history and discussions with Ms. Hunter-Philips, EPA has determined that this site does not appear to pose a threat to human health and the environment at this time. Therefore, EPA requires no further action at this time. If additional information is found in the future indicating that contamination at the site is above regulatory levels, EPA will reopen this case file and work with the Tribe to resolve the issues. If you have any questions regarding the information contained in this letter, please contact Ms. Salire of my staff at (415) 972-3376.

Sincerely,

Steven C. Linder, Manager
Underground Storage Tanks Program Office

Cc: Marcie Hunter-Philips, Director, Tribal Environmental Protection Program
USTPO file DUCV-004

SYMBOL	WST-8	WST-8	WST-8			
SURNAME	Salire	CWarr	Warr			
DATE	6/14/07	6/14/07	6/15/07			
U.S. EPA CONCURRENCES				OFFICIAL FILE COPY		

US/EPA, Region Nine, Waste Management Division, Underground Storage Tank Office

RECORD OF COMMUNICATION

23 November, 1999

Name of Facility: Manning's Texaco

Tribal Facility Number: DUCV-0044 UST-Access File No. 551

I spoke this day by phone with Larry Manning, one-time operator of Manning's Texaco. (I caught up with him at his job as facilities manager at IHS Health Facility)(775-757-2415, xt. 271).

He said that his niece Marcie Hunter Phillips (tribal EPA) had removed the tanks at Manning's Texaco last week, that there had been some soil staining and that the stained soil was removed from the hole before backfilling.

ARBoone

Arthur R. Boone,
SEE Program Assistant

f:m-ust-c.omm

6/12/07
Tess S. note

Timeline does not make sense:

11/2/99 Arthur Boone call to Marcie
Phillips → tanks still in ground

11/16/99 USTs were removed in the
ground by Marcie Phillips
(onsight)

2 weeks to procure/award/execute
contract for UST removal → possible?
4 tanks (2-2k, 1-1K, 1-10K)

US/EPA, Region Nine, Waste Management Division, Underground Storage Tank Office

RECORD OF COMMUNICATION

17 November, 1999

Name of Facility: Manning's Texaco

Tribal Facility Number: DUCV-004 UST-Access File No. 551

This site was listed in the UST-Access database as currently in use, based on a 1987 Notification Form. In my phone call to Marcie Phillips, tribal EPA, on November 2, 1999, she indicated that this facility has been non-operational since the mid-1980s but that the tanks are still in the ground. She initially mentioned Julie Manning as the PRP in the vicinity but called back to amend her referral to Larry Manning.



Arthur R. Boone,
SEE Program Assistant

f:m-ust-c.omm

Facility Summary for Facility ID # 0000551

Owner Name and Address: LARRY & LEROY MANNING P.O. BOX 172 Owyhee NV 89832

Facility ID 0000551	Location Name MANNING'S TEXACO	Location Street Address MAIN STREET	Location City Owyhee	Zip 89832
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Tank ID	Status	Installed Age (yr)	Product Capacity	Tank Mat'l of Construction Secondary Option	Piping Material Secondary Option	Piping Type	Tank Release Detection Piping Release Detection	FR Met Spill/Overfill
1	Currently In Use		Gasoline	Asphalt Coated or Bare Steel None	Galvanized Steel None	Not Listed	A B C D E F G H I J K B D E F G H I J K	No No No
2	Currently In Use		Gasoline	Asphalt Coated or Bare Steel None	Galvanized Steel None	Not Listed	A B C D E F G H I J K B D E F G H I J K	No No No
3	Currently In Use		Gasoline	Asphalt Coated or Bare Steel None	Galvanized Steel None	Not Listed	A B C D E F G H I J K B D E F G H I J K	No No No
4	Permanently Out of Use		Diesel	Asphalt Coated or Bare Steel None	Galvanized Steel None	Not Listed	A B C D E F G H I J K B D E F G H I J K	No No No

Tank/Piping Release Detection Codes

A Manual Tank Gauging	C Inventory Control	E Vapor Monitoring	G Interstit. Dbl-Wall Monitor	I SIR	K Deferred
B Tank/Line Tightness Testing	D ATG/Auto Line LD	F GW Monitoring	H Interstit. Sec. Con. Monitor	J Other Methods	L Not Listed

Report Generation Date: 7/2/1999

US/EPA, Region Nine, Waste Management Division, Underground Storage Tank Office

RECORD OF COMMUNICATION

24 June, 1999

Tribal Tank No. DUCV-xxx UST-Access File No. not assigned

John Thayer asked me to determine where this facility was located. I determined it was in the Duck Valley Reservation. A phone call to Marcie Phillips' office (775-757-3211) led to a secretary who indicated that this business is closed and that to her knowledge the tanks are gone. This would be a good item for our Nevada Circuit Rider to check out.

Name of town, Owyhee, is pronounced Oh-wah-hee, like a Hawaiian word.

An UST-Access # and the TFN should be issued.

By: Arthur R. Boone, SEE

f:m-ust-c.omm

⑧ DUV-004

Site: Mannings Texaco. 757-3161
Larry Manning Owner (702) 757-2863
- Herman Atkins -

Tank Nat Form. 1-3-87

1- 1,000 gal

2- 2,000 "

1- 10,000 "

Needs guidance on proper Closure of Tanks.

1896

19

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

RECORD OF COMMUNICATION

DATE 12-20-94

TIME 1:30 pm

TO: Bill Beck D.V. EPA person

COMPANY _____ PHONE (702) 757-2921

FROM: RCF PHONE CALL ☒ FAX ☐

SUBJECT: Manning Texas station

ACTION/SUMMARY OF CONVERSATION:

Tanks are abandoned. tube is working
BIA assistance to test for contamination
check with him 1-15-95

DUCK VALLEY SHOSHONE PAIUTE

SITE	OWNER/OPERATOR	TANKS	TANKS		Contact
		CLOSED/REMOVED	INSTALLED	STATUS	
DUV001	BIA-ROAD MAINT YD	1-16,000		NOT AN UST	Elvin Blossom (702)757-3188
DUV002	IHS-OWYHEE HOSP	1-2,000; 10-22-91			Bill Beck (702)757-2929
DUV003	OWYHEE SCHOOLS OWYHEE LOCATION		1-3,000	IN SERVICE	Gary Jones (702)757-3400
			1-1,000		
			1-5,000		
	WELLS LOCATION				
	BURNS RD LOCATION	1-12,000;	1-5,000		
			1-2,000		
DUV004	TEXACO MANNING	1-10,000; 10-1-94	2-2,000	NOT IN USE	Larry Manning (702)757-2863
			1-1,000	NOT IN USE	
DUV005	BIA SHOPS/GARAGE	2-12,000 1-1,500			Elvin Blossom (702)757-3188
DUV006	BIA WILDHOSE MARINA		1-5,000		Elvin Blossom

DUCK VALLEY-SHOSHONE PAIUTE - SITE # 4 - TANK # 4

Confirmed Release (Y/N): N

Installation Date: 01/03/87

Tank Capacity: 0

Out of Service Date: / /

Removal Date: / /

Material of Construction: STEEL, SINGLE WALL

Tank Contents: PETROLEUM

Corrosion Protection:

Piping: GALVANIZED STEEL

Ownership: INDIAN TRUST LANDS

Compliance:

Overfill Protection (Y/N): N

Upgrade (Y/N):

Financial Responsibility (Y/N):

Comments:

DUCK VALLEY-SHOSHONE PAIUTE - SITE # 4 - TANK # 3

Confirmed Release (Y/N): N

Installation Date: 01/03/87

Tank Capacity: 0

Out of Service Date: / /

Removal Date: / /

Material of Construction: STEEL, SINGLE WALL

Tank Contents: PETROLEUM

Corrosion Protection:

Piping: GALVANIZED STEEL

Ownership: INDIAN TRUST LANDS

Compliance:

Overfill Protection (Y/N): N

Upgrade (Y/N):

Financial Responsibility (Y/N):

Comments:

DUCK VALLEY-SHOSHONE PAIUTE - SITE # 4
Classification: 6

Summation: 0

-- S O I L --

Soil contamination (Y/N):
Volume of soil contaminated:
TPH level in situ soil:
TPH level in stockpiled soil:

-- G R O U N D W A T E R --

Groundwater contamination (Y/N):
Free product on groundwater:
Contamination near domestic well:
Contamination near municipal well:
Benzene concentration:

-- H E A L T H --

Health / environmental risk (Y/N):

<< DUCK VALLEY-SHOSHONE TRUTE - SITE # 4 >>

Name: TEXACO MANNING
Contact: LEROY MANNING
Add 1: MAIN ST.
Add 2:
City/St: OWYHEE
County: ELKO
Zip/Tel: 89832

(702)752-3381

LARRY & LEROY MANNING

PO BOX 172

OWYHEE
ELKO
89832

(702)757-3381

NV

	Resp. Party	EPA	A/P	Sub / Qty Released:
Notification Form:	01/03/87	01/03/87	Y	/
Removal Notificat.:	/ /	/ /		
UST Removal:	/ /	/ /		Last Visit: / /
Confirmed Release:	/ /	/ /		Visit Type(U/L/B):
Site Assessment:	/ /	/ /		
Remediation WP Rec.:	/ /	/ /		Violation(U/L/B):
Remediation Init.:	/ /	/ /		Enforcement: / /
Remediation Comp.:	/ /	/ /		
Site Closure:	/ /	/ /		EPA PM:
				Status Override:

Calc Status: U Class: 6 Tanks: 4 GroundW Cont.: ? Soil Cont.: ?

DUCK VALLEY-SHOSHONE PAIUTE - SITE # 4 - TANK # 1

Confirmed Release (Y/N): N

Installation Date: 01/03/87

Tank Capacity: 0

Out of Service Date: / /

Removal Date: / /

Material of Construction: STEEL, SINGLE WALL

Tank Contents: PETROLEUM

Corrosion Protection:

Piping: GALVANIZED STEEL

Ownership: INDIAN TRUST LANDS

Compliance:

Overfill Protection (Y/N): N

Upgrade (Y/N):

Financial Responsibility (Y/N):

Comments:

DUCK VALLEY-SHOSHONE PAIUTE - SITE # 4 - TANK # 2

Confirmed Release (Y/N): N

Installation Date: 01/03/87

Tank Capacity: 0

Out of Service Date: / /

Removal Date: / /

Material of Construction: STEEL, SINGLE WALL

Tank Contents: PETROLEUM

Corrosion Protection:

Piping: GALVANIZED STEEL

Ownership: INDIAN TRUST LANDS

Compliance:

Overfill Protection (Y/N): N

Upgrade (Y/N):

Financial Responsibility (Y/N):

Comments: